



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/530,033

10/14/2005

Nobuyuki Takakuwa

8048-1098

2919

466 7590 04/14/2009

YOUNG & THOMPSON  
209 Madison Street  
Suite 500  
ALEXANDRIA, VA 22314

EXAMINER

DANG, HUNG Q

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

04/14/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,033	<b>Applicant(s)</b> TAKAKUWA ET AL.	
	<b>Examiner</b> Hung Q. Dang	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 02/13/2009 have been fully considered but they are not persuasive.

On page 18, Applicant argues that Saeki does not disclose the feature of "one part of the button which is included in the sub-video is cut-out and is actually displayed, and the other part of the button is not actually displayed."

In response, the Examiner respectfully submits that the claims do not recite that feature. Instead, the claims recite the new limitation of "one part of the sub-video which is cut-out by the sub- frame being displayed over the main video and other part of the sub-video which is not cutout by the sub-frame not being displayed." Saeki discloses this limitation.

In Saeki, the sub-frame corresponds to the high-lighted area as explained in the Office Action. In that interpretation, at least the colors used to visually indicate the selected state of a button when it is high-lighted are the emphatic colors (see at least Fig. 14 and column 14, lines 35-45) and correspond to the part of the sub-video which is cut-out or selected by the sub-frame when an area gets high-lighted. The emphatic colors of the area that is not selected, is not cut-out by the sub-frame are not displayed. A background color is used to display these areas instead. It is noted that, among other information, emphatic color and background color information is also sub-video data.

On page 19, Applicant argues that Saeki does not disclose "start/end X-Y address" are coordinates in a coordinate system defined with respect to the button. In

Art Unit: 2621

response, the Examiner respectfully disagrees. At least in Fig. 14 and column 15, lines 24-36, Saeki clearly discloses the start/end X-Y coordinates in a coordinate system together with other information defined with respect to a button (e.g., button number, which other buttons are neighboring to the current button – see at least column 15, lines 42-44).

On page 19, Applicant also argues that, “Saeki does not disclose the button video part before the movement of the sub-frame.”

In response, the Examiner respectfully disagrees. In Saeki et al., the button video part before the movement of the sub-frame is the part (e.g. the area constitutes a button) that is displayed when the button does not change the state when users has not moved the key to high-light any button. For example, suppose there are three buttons being currently displayed (namely button 1, button 2, and button 3 for instance). If button 1 is currently in high-light state and the user has not moved the key to high-light button 2. Then the video part of the button 2 that is displayed is the “button video part before the movement of the sub-frame.”

For those reasons, the claims are rejected as previously presented.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Saeki et al. (US Patent 6,067,400).**

Regarding claim 1, Saeki et al. disclose a computer-readable information record medium (Fig. 4; column 10, lines 1-17) comprising: video information to indicate a main video when read from said computer-readable information record medium by a processor programmed to further display said main video (Fig. 6; column 10, line 65 – column 11, line 13) ; sub-video information to indicate a sub-video (Fig. 10; column 10, line 65 – column 11, line 6; column 11, lines 18-24), the sub-video at least partially displayable over the main video (Fig. 12; column 11, lines 1-6; Fig. 35; Fig. 36; column 25, lines 30-39); predetermined part coordinate information to designate coordinates of a predetermined part included in the sub-video, in a coordinate system defined with respect to the sub-video (“start X-Y coordinates” and “end X-Y coordinates” in Fig. 14; column 15, lines 21-34); and sub-video control information including: coordinates-before-movement information to indicate coordinates of a sub-frame before a movement in the coordinate system, the sub-frame being at least an area of the sub-video (“start X-Y coordinates” and “end X-Y coordinates” in Fig. 14; column 15, lines 21-34), and coordinates-after-movement information to indicate coordinates of the sub frame after n-th movement (n is a natural number equal to or more than 1) in the coordinate system (“start X-Y coordinates” and “end X-Y coordinates” in Fig. 14; column 14, lines 38-44; column 15, lines 21-34, 42-46; column 19, lines 63-67; column 20, lines 26-30; column 21, lines 17-20; Fig. 30; Fig. 31; Fig. 33; *the sub-frame corresponds to the area that gets high-lighted*); one part of the sub-video which is cut-out by the sub- frame being

Art Unit: 2621

displayed over the main video and other part of the sub-video which is not cutout by the sub-frame not being displayed (Fig. 14 and column 14, lines 35-45; also see “Response to Arguments” above).

Regarding claim 2, Saeki et al. also disclose the predetermined part is a button video part (Fig. 14; column 15, lines 21-34), and the predetermined part coordinate information is button position information to indicate coordinates of the button video part (“start X-Y coordinates” and “end X-Y coordinates” in Fig. 14; column 15, lines 21-34).

Regarding claim 3, Saeki et al. also disclose the sub-video control information further includes first button status information to indicate in which status a button, which is indicated by the button video part before the movement of the sub-frame, is among predetermined kinds of preset button status (*corresponding to the state in which an unselected button is not selected and highlighted by the user moving the arrow key* in column 19, lines 43-56, column 15, lines 42-51; “selected-determined flag” in Fig. 14).

Regarding claim 4, Saeki et al. also disclose the sub-video control information further includes second button status information to indicate in which status a button, which is indicated by the button video part after the n-th the movement of the sub-frame, is among predetermined kinds of preset button status (*corresponding to the state in which an previously unselected button gets selected and highlighted by the user moving the arrow key* in column 19, lines 43-56, column 15, lines 42-51; “selected-determined flag” in Fig. 14; column 20, lines 8-13).

Regarding claim 5, Saeki et al. also disclose the sub-video control information further includes button command information to define a button command to be executed in a case that the button is operated (Fig. 14; column 20, lines 18-41).

Regarding claim 6, Saeki et al. also disclose high light information to define how to control a high light display for the button video part (Fig. 13; Fig. 14; column 19, lines 57-67; column 22, lines 50-56; column 23, lines 1-19, 41-48).

Regarding claim 7, Saeki et al. also disclose the high light information to define how to control the high light display defines which display mode is used to perform the high light display among predetermined kinds of preset display mode (Fig. 13; Fig. 14; column 19, lines 57-67; column 22, lines 50-56; column 23, lines 1-19, 41-48, *“predetermined kinds of preset display mode” are “highlighted” or “not highlighted”*), depending on the button status among predetermined kinds of preset button status of a button displayed on the main video (column 19, line 48 – column 20, line 13; column 20, lines 26-30).

Regarding claim 8, Saeki et al. also disclose a sub-video information set comprises the sub-video information and the predetermined part coordinate information (Fig. 14), and the main video information (Fig. 8), the sub-video information set (Fig. 14), and the sub-video control information (Fig. 13) are divided into predetermined packets (Fig. 8; Fig. 9; Fig. 10; Fig. 11) and multiplexed (Fig. 6; Fig. 7), and further streamed into a video stream comprising the divided main video, a sub-video stream comprising the divided sub-video information set and a control information stream comprising the divided sub-video control information (Fig. 6; Fig. 7).

Claim 9 is rejected for the same reason as discussed in claim 1 above.

Claim 10 is rejected for the same reason as discussed in claim 1 above.

Regarding claim 11, Saeki et al. disclose an information reproduction apparatus for reproducing the information record medium according to claim 1 as discussed above (column 17, lines 30-43), said apparatus comprising: a reproduction device for reproducing the video information (column 17, lines 40-43), the sub-video information (column 19, lines 7-12; Fig. 12; Fig. 35), the predetermined part coordinate information (column 19, line 52 – column 20, line 21; Fig. 12) and the sub-video control information (column 19, lines 32-47); a display output device capable of displaying the reproduced sub-video information over the reproduced video information (Fig. 35; column 25, lines 30-39); a control device for controlling the reproduction device and the display output device to display (“reproduction control unit 937” in Fig. 22; column 24, line 60 - column 25, line 25), before the movement of the sub-frame, the predetermined part within the sub-frame before the movement after the predetermined part is subjected to a predetermined kind of processing on the basis of the reproduced predetermined part coordinate information, while displaying the sub-frame before the movement over the main video on the basis of the coordinates-before-movement information included in the reproduced sub video control information (using “start X-Y coordinates” and “end X-Y coordinates” in Fig. 14; column 15, lines 21-34; *the action of moving corresponds to the action of users moving the arrow keys to select a button* in column 15, lines 42-46; column 19, lines 43-62), and to display, after the movement of the sub-frame, the predetermined part within the sub-frame after the movement after the predetermined



Art Unit: 2621

part is subjected to a predetermined kind of processing on the basis of the reproduced predetermined part coordinate information, while displaying the sub-frame after the movement over the main video on the basis of the coordinates-after-movement information included in the reproduced sub-video control information (*using “start X-Y coordinates” and “end X-Y coordinates” in Fig. 14; column 14, lines 38-44; column 15, lines 21-34, 42-46; column 19, lines 63-67; column 20, lines 26-30; column 21, lines 17-20; Fig. 30; Fig. 31; Fig. 33; the action of moving corresponds to the action of users moving the arrow keys to select a button in column 15, lines 42-46; column 19, lines 43-62; the sub-frame corresponds to the area that gets high-lighted*).

Regarding claim 12, Saeki et al. also disclose the predetermined part is a button video part (Fig. 14; column 15, lines 21-34); the predetermined part coordinate information is button position information to indicate coordinates of the button video part (“start X-Y coordinates” and “end X-Y coordinates” in Fig. 14; column 15, lines 21-34); the information record medium further comprises high-light information to define how to control a high-light display for the button video part (Fig. 13; Fig. 14; column 19, lines 57-67; column 22, lines 50-56; column 23, lines 1-19, 41-48), the reproduction device further reproduce the high-light information (Fig. 13; Fig. 14; column 19, lines 57-67; column 22, lines 50-56; column 23, lines 1-19, 41-48), and the control device controls the reproduction device and the display output device to perform the high-light display as the predetermined kind of processing for the button video part, on the basis of the reproduced high-light information (Fig. 13; Fig. 14; column 19, lines 57-67; column 22, lines 50-56; column 23, lines 1-19, 41-48).

Claim 13 is rejected for the same reason as discussed in claim 11 above.

Claim 14 is rejected for the same reason as discussed in claims 9 and 11 above.

Claim 15 is rejected for the same reason as discussed in claims 9 and 11 above.

Claim 16 is rejected for the same reason as discussed in claim 9 above.

Claim 17 is rejected for the same reason as discussed in claim 11 above.

Claim 18 is rejected for the same reason as discussed in claim 14 above.

Claim 19 is rejected for the same reason as discussed in claim 1 above.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2621

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/  
Examiner, Art Unit 2621

/ROBERT CHEVALIER/  
Primary Examiner, Art Unit 2621  
April 10, 2009.